



SELECTBOARD MEETING MINUTES OF AUGUST 7, 2023

Members: Judy Bickford, Don McDowell, Chris Palermo, Laura Streets

Absent:

ADMINISTRATION and STAFF: Jason Luneau, Interim Town Administrator; Judi Alberi, Administrator's Assistant; Kevin Barrows, Highway Superintendent; Dennis DiGregorio, Fire Chief; Paula Beattie, Human Resources Director; Sara Haskins, Town Clerk/Treasurer; Bill Mapes, EMS Chief; Todd Thomas, Zoning/Planning Director

PARTICIPANTS/GUESTS: Paul L Griswold, Jamie Jaret, Tom Cloutier, Grace Costa, Yon Perras, Uwanna Perras, Maria Ward, Kristin Marriott, Sheila Tarbox, Tony Cote, Christie Snipp, Tom Snipp, Etienne Hancock, Kathy Chaffee*

**participating via Zoom*

CALL SELECTBOARD MEETING TO ORDER

Judy Bickford called the Selectboard Meeting to order at 5:31PM at the Tegu Building.

AGENDA CHANGES/ADDITIONS

Presentation from SBA James Accurso regarding disaster loans

APPROVE MINUTES

1. Approve Minutes 7-17-23 Duhamel Pit

Motion made by Chris Palermo to approve the minutes of July 17, 2023-Duhamel Pit, with amendments. Motion seconded by Don McDowell. Motion carried. (4/0)

Correct spelling errors in motion to adjourn.

2. Approve Minutes 7-17-23

Motion made by Don McDowell to approve the minutes of July 17, 2023. Motion seconded by Chris Palermo. Motion carried. (4/0)

3. Approve Minutes 7-20-23

Motion made by Chris Palermo to approve the minutes of July 20, 2023. Motion seconded by Laura Streets. Motion carried. (4/0)

4. Approve Minutes 7-26-23

Motion made by Don McDowell to approve the minutes of July 26, 2023. Motion seconded by Laura

Streets. Motion carried. (4/0)

NEW BUSINESS

1. Presentation from SBA James Accurso regarding disaster loans

James Accurso attended the meeting to inform the citizens of disaster assistance through Small Business Administration (SBA). The SBA offers disaster assistance in the form of low interest loans to businesses, nonprofit organizations, homeowners, and renters located in regions affected by declared disasters. SBA also provides eligible small businesses and nonprofit organizations with working capital to help overcome the economic injury of a declared disaster. More information can be found at www.disasterloanassistance.sba.gov

2. Review and approve Right of Way permit application for 651 Elmore St - replace sewer line

Kevin Barrows has seen 651 Elmore Street and is okay with the ROW application to replace the sewer line. Kevin will inspect the project once completed.

Motion made by Don McDowell to approve the submitted Row of Way application for 651 Elmore Street. Motion seconded by Laura Streets. Motion carried (4/0).

3. Approve Errors and Omissions Certificate

Motion made by Chris Palermo to accept the Errors and Omissions certificate as presented. Motion seconded by Laura Streets. Motion carried (3/0/1). Don McDowell abstained.

Don McDowell abstained due to a conflict of interest as his property was one of the properties receiving an adjustment.

4. Accept resignation of the Human Resources Director

It is with great sadness that the Selectboard received the resignation of Human Resources Director Paula Beattie. Paula has set a very high bar with her expertise and the relationships she has created with employees.

Motion made by Don McDowell to accept the resignation of Human Resources Director, Paula Beattie with regrets. Motion seconded by Chris Palermo. Motion carried (4/0).

5. Accept resignation of EMS Paramedic

Motion made by Chris Palermo to accept the resignation of EMS Paramedic Chris Clement, with regrets. Motion seconded by Don McDowell. Motion carried (4/0).

Laura Streets is the liaison to the Morristown EMS and has had many conversations with Chris Clement. Losing Chris is a tragic loss to our community.

6. Approve name for new private road

Motion made by Don McDowell to approve private road, Walkers Way. Motion seconded by Chris Palermo. Motion carried (4/0)

7. Waive permit fee of \$130 for Lamoille County Conservation District

Lamoille County Conservation District is currently trying to raise \$20,000 to complete a pavilion project. The proposed pavilion would be a 16' X 34' structure with a gravel floor and back wall to block

wind and allow for a projector screen. The LCNC currently has no power, but the pavilion would also provide a good opportunity for solar panel placement. They are asking for the Selectboard to waive the permit fee of \$130.20. There was discussion from the audience and Laura Streets regarding the fact that the town has not passed a budget and we should not be giving away any money right now. Don McDowell would like to encourage folks that are asking the town for money or to waive permit fees and such, that someone from that organization with the request sends a spokesperson to the Selectboard meeting to answer questions that the Selectboard or citizens may have.

Motion made by Chris Palermo to grant a \$130.20 permit fee and recording fee waiver. Motion seconded by Laura Streets. Motion carried (3/0/1). Laura Streets abstained.

8. 2023 Proposed edits to Regulation of Private Alarm Systems

Chief Luneau presented an updated ordinance increasing alarm fees to match those of the State of Vermont. The first false alarm in a 6 month period will continue to be free.

Motion made by Chris Palermo to accept the presented changes of \$50 and \$75 for false alarms. Motion seconded by Don McDowell. Motion carried (4/0).

9. Remove member from Planning Council (Tim Magee)

During the July 25, 2023 Planning Council meeting minutes reflected the following:

It was discussed that Planning Council member Tim Magee had fallen beneath the required 50% attendance policy required by the Joint Rules document that governs the Planning Council & Development Review Board. It was decided that notice would be sent to the Trustees & Selectboard that Mr. Magee should be removed from the Council due to his failing attendance, and the fact that he has not responded to emails or texts messages from the staff for months now. Mr. Thomas added that he would ask the Town Administration to advertise for the open Planning Council seat as soon as the removal of Mr. Magee was perfected by both the Trustees and Selectboard.

Motion made by Don McDowell to remove Tim Magee from the Planning Council and advertise to replace him. Motion seconded by Chris Palermo. Motion carried (4/0).

10. Planning Council letter regarding adopting local option rooms, meals, and alcohol tax

Planning Director Todd Thomas, and Planning Council Chair Etienne Hancock, appeared before the Selectboard regarding a letter dated August 2nd that the Planning Council sent to the Selectboard encouraging the formation of a committee to study and work towards adopting a 1% local option tax on rooms, meals, and alcohol. Mr. Thomas pointed out that Morrisville was largely the only community of its size in the entire state that was forgoing this commonly used revenue stream. A discussion ensued regarding the need for a charter to be in place in order to adopt this tax. Mr. Thomas recommended working with the Village Trustees to utilize the existing Village Charter, versus the Town trying to create and adopt a new charter for itself. Mr. Thomas reminded the Selectboard that they had already agreed, via the recent Town Plan approval, to work towards updating the Village Charter, which could save the local residents over \$100,000 a year by simply adjusting the lines between Morrisville and Morristown. Member Streets said she preferred for the Town to create its own Charter (so no short-term rental money was left on the table), but she added that she was opposed to this tax due to the current fragility of the local restaurant business. Mr. Thomas said that he did not have the bandwidth to work on two dueling charters at the same time. It was ultimately agreed by consensus that the Selectboard would join the Village Trustees at one of their upcoming meetings at Morrisville Water & Light to discuss this tax and the pros and cons of either charter option.

11. 2023 proposed edits to Morristown Road Policy

Planning Director Todd Thomas reappeared before the Selectboard regarding the pending revisions to the 2023 Morristown Road Policy. Mr. Thomas reminded the Selectboard that the proposed edits to the Town road policy, which were shown in the meeting packet via “Track-Changes” were the result of a group effort between former Town Administrator Eric Dodge, Highway Superintendent Kevin Barrows, and himself to bring this policy into compliance with current regulations and common practices. Mr. Thomas recommended that all the proposed changes be adopted but asked for the Selectboard’s guidance regarding the currently suspended section of the policy that since 2015 prohibited the public acceptance of dead-end roads as Town Roads. After some discussion, it was decided that the Selectboard would end the suspension of this dead-end road policy and revert back to the same pre-suspension language.

Motion by Laura Streets to accept the changes to the Road Policy as proposed and to end the suspension of the dead-end roads portion of said policy. Motion seconded by Chris Palermo. Motion carried. (4/0)

12. Planning Council letter regarding downgrading substandard Town Roads

Planning Director Todd Thomas and Planning Council Chair Etienne Hancock reappeared before the Selectboard regarding a letter dated August 3rd that the Planning Council sent to the Selectboard encouraging the downgrading (or “throwing-up”) of certain substandard Town Roads. Mr. Thomas related that Highway Superintendent Kevin Barrows attended the July 25th Planning Council meeting where he spoke about numerous dead-end town roads that were currently being plowed and maintained by the Town Road Crew that did not meet the Town's minimum requirements for receiving these services (as specified) in the Morristown Road Policy. The list of dead-end roads that were discussed as candidates for discontinuance because they fail to meet the minimum Section B(9) requirements of the Town Road Policy were: Call Road, Chaffee Road, Cloverdale Road, Cram Road, Lague Road, Lanphear Road, Ledge Road, Neil Road, Rooney Road, Ross Hill Road, Samoset Road, Stearns Road, Sand Ridge Road, Stub Towne Road, Tine Mckee Road, Watanjay Farm Road, and Wyman Road. It was explained that these substandard roads ended up on the Town’s “plow-list” over the years for various reasons, though in the Planning Council’s estimation, most of these reasons are no longer valid. The once thriving dairy farms that required daily winter plowing are gone (ex. Lanphear Rd), the requisite number of homes required in the Town Road Policy no longer remain (ex. Samoset Rd), and for some roads (ex. Stub Towne Rd.) the Town Road Crew services are no longer desired by the property owners. It was explained that for most other roads on this list, the Town Road Crew is in effect providing private plowing services for only 1 or 2 homes on short dead-end roads, which are far more time consuming for the Road Crew to plow than much longer Town roads that meet the minimum requirements of the Town Road Policy. Highway Superintendent Barrows explained that the lack of a plow turnaround is very time-consuming, and the annual taxpayer funded repairs needed to fix damage caused to private property from turning the Town plow trucks around in these tight locations was very problematic. The Selectboard was informed that there is even an existing Town Road, Cloverdale Drive, where the Road Crew has for years been plowing a road that is not used by the property owner in the winter. Highway Superintendent Barrows said that he expects to save approximately \$20,000 of taxpayer money annually if the request to discontinue or downgrade the aforementioned substandard dead-ends roads, per Section B(11) of the Town Road Policy, is approved by the Selectboard (savings per current FEMA reimbursement rates). Given the Town’s present budget situation, Mr. Thomas suggested that the Selectboard begin the Section B(11) review process stipulated in the Town Road Policy to review the Town maintenance of these aforementioned substandard dead-end roads this summer, which gives the residents on these roads the time needed

to find private plow services for the winter. The Selectboard Members decided to drive these roads prior to the next meeting, where it was agreed that this letter would again appear on that next agenda. In closing, Mr. Thomas added that if Selectboard decides not to discontinue the Town servicing of any of these substandard dead-end roads, the Selectboard should revise Section B(9) of the Morristown Road Policy to reflect the criteria the Selectboard used to make this decision.

13. 2023 edits to Joint Rules Policy governing DRB & Planning Council

Planning Director Todd Thomas appeared for a final time before the Selectboard regarding proposed edits to the Rules for Jointly Appointed Boards. Mr. Thomas explained that the track-changes shown in the Selectboard's meeting package were all housekeeping items, proposed by himself (with an assist from resident Christy Snipp on a couple of grammatical issues). He added that the only substantive change to this policy was being proposed by resident Tom Cloutier, and this change was highlighted in yellow fill in the Board's meeting packet. Mr. Thomas, and eventually Mr. Cloutier, explained that the proposed substantive change in yellow fill would restrict Selectboard Members and Village Trustees from simultaneously serving on "Jointly Appointed Boards". Upon a suggestion from Planning Council Chair Hancock, it was decided that this yellow fill language be reworded so members of the Selectboard and Village Trustees would only be prohibited on serving specifically on the Planning Council and Development Review Board and vice versa, but members of any of these four aforementioned boards could serve on other jointly appointed boards (such as a temporary charter committee).

Motion made by Laura Streets to adopt the Rules for Jointly appointed Boards as presented, with Planning Council Chair Hancock's suggestion to specify the two-way restriction on serving on these named Boards simultaneously. Motion seconded by Don McDowell. Motion carried. (4/0)

Mr. Thomas said he would draft Mr. Hancock's suggested language change and forward it to Selectboard Chair Bickford for her signature. At the end of this discussion, it was noted by Mr. Thomas that the Village Trustees would have to vote to accept this same language for it to be perfected.

OLD BUSINESS

None

APPROVE WARRANTS

Motion made by Chris Palermo to approve the warrants. Motion seconded by Don McDowell. Motion carried. (4/0)

DEPARTMENT HEAD REPORTS

Town Clerk, Sara Haskins, reminded citizens that ballots were mailed on Friday August 4th, so be on the lookout for ballots to arrive. Chief Luneau is making citizens aware of an active shooter training at Peoples Academy on Saturday August 12th from 7am - Noon. There will be a large police presence during this time.

TOWN ADMINISTRATOR'S REPORT

August 14th at 5:30 the Selectboard will host a special meeting to discuss Article 4 on the ballot that gives the citizens an option to move to a Town Manager form of governance. Charles Safford, Stowe Town Manager and Bill Shepeluk, Waterbury retired Town Manager will be part of a 3 member panel to answer questions. Act 250 permit for Duhamel Pit was approved by the DRB and work will begin in the pit.

Oxbow Park was damaged during the storm in July, Percy's has begun cleaning up the area to remove some hazards and clean up the gravel. The park will remain closed.

The contractor for Walnut Road Bridge will be meeting with Kevin Barrows to discuss the project.

The new Interim Town Administrator will have a zoom meeting in September with Tyler Mumley and folks

from the state regarding the Jersey Way stormwater system.

SELECTBOARD COMMENTS

Laura Streets had no comments or concerns.

Chris Palermo would like to talk to the cemetery associations regarding the Sexton contract. Sara Haskins would like to be involved as well.

Don McDowell would like to thank Percy for the work he did at Oxbow Park to make it safe. The park has flooded 4 times in 12 years. More discussion should arise in the future regarding the long term plan for the Oxbow and flood prevention. Duhamel pit is now operating to extract gravel. Went to court with Todd and Judy Bickford for the appeal to Duhamel Pit. Many different services come to the town for appropriations. Judy Bickford is happy with the progress at Duhamel pit and concurs with Don.

COMMUNITY COMMENTS

Much discussion regarding whether the HR Director position should be left vacant until a budget passes.

OTHER BUSINESS

1. Possible Executive Session - Contracts

Motion made by Don McDowell to go into Executive session because I find that premature general public knowledge of the pending contract negotiations will clearly place the Town at a disadvantage by disclosing its negotiations strategy. Motion seconded by Chris Palermo. Motion carried. (4/0)

Motion made by Don McDowell to go into Executive session to discuss pending contract negotiations under provisions of Title 1, Section #13(a)(1) of the Vermont Statutes and to include Interim Town Administrator, Jason Luneau and Zoning Administrator, Todd Thomas. Motion seconded by Chris Palermo. Motion carried. (4/0)

2. Possible Executive Session - Personnel

Motion made by Don McDowell to go into Executive Session because I find that premature general public knowledge would clearly place the public body, or a person involved at a substantial disadvantage. Motion seconded by Chris Palermo. Motion carried. (4/0)

Motion made by Don McDowell to go into Executive Session to discuss the appointment or employment or evaluation of a public officer or employee subject to T1 V.S.A. § 313 (a)(3). To include Interim Town Administrator, Jason Luneau. Motion seconded by Chris Palermo. Motion carried. (4/0)

Motion made by Don McDowell to come out of Executive Session. Motion seconded by Chris Palermo. Motion carried. (4/0)

ADJOURN

Motion made by Don McDowell to adjourn. Motion seconded by Chris Palermo. Motion carried. (4/0)

Meeting adjourned at 9:15pm

Submitted and filed this August 11, 2023

Todd Thomas & Judi Alberi, Scribe

Please note all minutes are in Draft form and are subject to approval at the next Selectboard meeting.